

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 59006

EJPM Holdings LLC  
c/o Errol Scotland  
210 Altamont Avenue  
Baltimore, MD 21228

64 Main Street

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 3, 2009, for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 13-7-112, 115, 310; 13-4-201 (b)(d), failure to remove all trash and debris on property therefore creating open dump conditions, failure to store garbage in containers with tight fitting lids on residential property known as 64 Main Street, 21136.

On May 14, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector David Kirby issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 20, 2009 requesting removal of trash, junk and debris and correction of open dump conditions. This Citation was issued on May 14, 2009.

B. Photographs in the file show continued presence of junk and debris, and piles of yard waste including brush and tree limbs. This violates prohibitions against accumulation of trash and debris on residential property, and creation of possible harborage for rats. The Inspector's notes in the file indicate that some trash has been removed from the property, but open dump conditions continue in the rear yard. Respondent must clean up this rental property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent corrects the violations by July 1, 2009. If the Respondent fails to correct the violations, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 10<sup>th</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer